

103^D CONGRESS
2^D SESSION

H.R. 3059

IN THE SENATE OF THE UNITED STATES

OCTOBER 6 (legislative day, SEPTEMBER 12), 1994

Received

AN ACT

To establish a National Maritime Heritage Program to make grants available for educational programs and the restoration of America's cultural resources for the purpose of preserving America's endangered maritime heritage.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "National Maritime
5 Heritage Act of 1994".

6 **SEC. 2. FINDINGS.**

7 The Congress finds and declares the following:

8 (1) The United States is a nation with a rich
9 maritime history, and it is desirable to foster in the
10 American public a greater awareness and apprecia-

1 tion of the role of maritime endeavors in our Na-
2 tion's history and culture.

3 (2) The maritime historical and cultural foun-
4 dations of the Nation should be preserved as a part
5 of our community life and development.

6 (3) National, State, and local groups have been
7 working independently to preserve the maritime her-
8 itage of the United States.

9 (4) Historic resources significant to the Na-
10 tion's maritime heritage are being lost or substan-
11 tially altered, often inadvertently, with increasing
12 frequency.

13 (5) The preservation of this irreplaceable mari-
14 time heritage is in the public interest so that its
15 vital legacy of cultural, educational, aesthetic, inspi-
16 rational, and economic benefits will be maintained
17 and enriched for future generations of Americans.

18 (6) The current governmental and nongovern-
19 mental historic preservation programs and activities
20 are inadequate to ensure future generations a genu-
21 ine opportunity to appreciate and enjoy the rich
22 maritime heritage of our Nation.

23 (7) A coordinated national program is needed
24 immediately to redress the adverse consequences of
25 a period of indifference during which the maritime

1 heritage of the United States has become endan-
2 gered and to ensure the future preservation of the
3 Nation's maritime heritage.

4 (8) A national maritime heritage policy would
5 greatly increase public awareness of, and participa-
6 tion in, the preservation of the Nation's maritime
7 heritage.

8 **SEC. 3. NATIONAL MARITIME HERITAGE POLICY.**

9 It shall be the policy of the Federal Government, in
10 partnership with the States and local governments and
11 private organizations and individuals, to—

12 (1) use measures, including financial and tech-
13 nical assistance, to foster conditions under which our
14 modern society and our historic maritime resources
15 can exist in productive harmony;

16 (2) provide leadership in the preservation of the
17 historic maritime resources of the United States;

18 (3) contribute to the preservation of historic
19 maritime resources and give maximum encourage-
20 ment to organizations and individuals undertaking
21 preservation by private means; and

22 (4) assist State and local governments to ex-
23 pand their maritime historic preservation programs
24 and activities.

1 **SEC. 4. NATIONAL MARITIME HERITAGE GRANTS PRO-**
2 **GRAM.**

3 (a) ESTABLISHMENT.—There is hereby established
4 within the Department of the Interior the National Mari-
5 time Heritage Grants Program, to foster in the American
6 public a greater awareness and appreciation of the role
7 of maritime endeavors in our Nation's history and culture.
8 The Program shall consist of—

9 (1) annual grants to the National Trust for
10 Historic Preservation for subgrants administered by
11 the National Trust for maritime heritage education
12 projects under subsection (b);

13 (2) grants to State Historic Preservation Offi-
14 cers for maritime heritage preservation projects car-
15 ried out or administered by those Officers under
16 subsection (c); and

17 (3) grants for interim projects under subsection
18 (j).

19 (b) GRANTS FOR MARITIME HERITAGE EDUCATION
20 PROJECTS.—

21 (1) GRANTS TO NATIONAL TRUST FOR HIS-
22 TORIC PRESERVATION.—The Secretary, subject to
23 paragraphs (2), (3), and (4), and the availability of
24 amounts for that purpose under section 6(b)(1)(A),
25 shall make an annual grant to the National Trust
26 for maritime heritage education projects.

1 (2) USE OF GRANTS.—Amounts received by the
2 National Trust as an annual grant under this sub-
3 section shall be used to make subgrants to State and
4 local governments and private nonprofit organiza-
5 tions to carry out education projects which have
6 been approved by the Secretary under subsection (f)
7 and which consist of—

8 (A) assistance to any maritime museum or
9 historical society for—

10 (i) existing and new educational pro-
11 grams, exhibits, educational activities, con-
12 servation, and interpretation of artifacts
13 and collections;

14 (ii) minor improvements to edu-
15 cational and museum facilities; and

16 (iii) other similar activities;

17 (B) activities designed to encourage the
18 preservation of traditional maritime skills, in-
19 cluding—

20 (i) building and operation of vessels of
21 all sizes and types for educational pur-
22 poses;

23 (ii) special skills such as wood carv-
24 ing, sail making, and rigging;

1 (iii) traditional maritime art forms;

2 and

3 (iv) sail training;

4 (C) other educational activities relating to
5 historic maritime resources, including—

6 (i) maritime educational waterborne-
7 experience programs in historic vessels or
8 vessel reproductions;

9 (ii) maritime archaeological field
10 schools; and

11 (iii) educational programs on other as-
12 pects of maritime history;

13 (D) heritage programs focusing on mari-
14 time historic resources, including maritime her-
15 itage trails and corridors; or

16 (E) the construction and use of reproduc-
17 tions of historic maritime resources for edu-
18 cational purposes, if a historic maritime re-
19 source no longer exists or would be damaged or
20 consumed through direct use.

21 (c) GRANTS FOR MARITIME HERITAGE PRESERVA-
22 TION PROJECTS.—

23 (1) GRANTS TO STATE HISTORIC PRESERVA-
24 TION OFFICES.—The Secretary, acting through the
25 National Maritime Initiative of the National Park

1 Service and subject to paragraphs (2) and (3), and
2 the availability of amounts for that purpose under
3 section 6(b)(1)(B), shall make grants to State His-
4 toric Preservation Officers for maritime heritage
5 preservation projects.

6 (2) USE OF GRANTS.—Amounts received by a
7 State Historic Preservation Officer as a grant under
8 this subsection shall be used by the Officer to carry
9 out or to make subgrants to local governments and
10 private nonprofit organizations to carry out, projects
11 which have been approved by the Secretary under
12 subsection (f) for the preservation of historic mari-
13 time resources through—

14 (A) identification of historic maritime re-
15 sources, including underwater archaeological
16 sites;

17 (B) acquisition of historic maritime re-
18 sources for the purposes of preservation;

19 (C) repair, restoration, stabilization, main-
20 tenance, or other capital improvements to his-
21 toric maritime resources, in accordance with
22 standards prescribed by the Secretary; and

23 (D) research, recording (through drawings,
24 photographs, or otherwise), planning (through
25 feasibility studies, architectural and engineering

1 services, or otherwise), and other services car-
2 ried out as part of a preservation program for
3 historic maritime resources.

4 (d) CRITERIA FOR DIRECT GRANT AND SUBGRANT
5 ELIGIBILITY.—To qualify for a subgrant from the Na-
6 tional Trust under subsection (b), or a direct grant to or
7 a subgrant from a State Historic Preservation Officer
8 under subsection (c), a person must—

9 (1) demonstrate that the project for which the
10 direct grant or subgrant will be used has the poten-
11 tial for reaching a broad audience with an effective
12 educational program based on American maritime
13 history, technology, or the role of maritime endeav-
14 ors in American culture;

15 (2) match the amount of the direct grant or
16 subgrant, on a 1-to-1 basis, with non-Federal assets
17 from non-Federal sources, which may include cash
18 or donated services fairly valued as determined by
19 the Secretary;

20 (3) maintain records as may be reasonably nec-
21 essary to fully disclose—

22 (A) the amount and the disposition of the
23 proceeds of the direct grant or subgrant;

24 (B) the total cost of the project for which
25 the direct grant or subgrant is made; and

1 (C) other records as may be required by
2 the Secretary, including such records as will fa-
3 cilitate an effective accounting for project
4 funds;

5 (4) provide access to the Secretary for the pur-
6 poses of any required audit and examination of any
7 books, documents, papers, and records of the person;
8 and

9 (5) be a unit of State or local government, or
10 a private nonprofit organization.

11 (e) PROCEDURES, TERMS, AND CONDITIONS.—

12 (1) APPLICATION PROCEDURES.—An applica-
13 tion for a subgrant under subsection (b), or a direct
14 grant or subgrant under subsection (c), shall be sub-
15 mitted under procedures prescribed by the Sec-
16 retary.

17 (2) TERMS AND CONDITIONS.—A person may
18 not receive a subgrant under subsection (b), or a di-
19 rect grant or subgrant under subsection (c), unless
20 the person has agreed to assume, after completion of
21 the project for which the direct grant or subgrant is
22 awarded, the total cost of the continued mainte-
23 nance, repair, and administration of any property
24 for which the subgrant will be used in a manner sat-
25 isfactory to the Secretary.

1 (f) REVIEW OF PROPOSALS.—

2 (1) COMMITTEE RECOMMENDATIONS.—The Na-
3 tional Maritime Heritage Grants Committee shall re-
4 view applications for subgrants under subsection (b),
5 and direct grants or subgrants under subsection (c),
6 and submit recommendations to the Secretary re-
7 garding projects which should receive funding under
8 those direct grants and subgrants.

9 (2) ALLOCATION OF GRANT FUNDING.—To the
10 extent feasible, the Secretary shall ensure that the
11 amount made available under subsection (b) for
12 maritime heritage education projects is equal to the
13 amount made available under subsection (c) for mar-
14 itime heritage preservation projects.

15 (3) LIMITATION.—The amount provided by the
16 Secretary in a fiscal year as grants under this sec-
17 tion for projects relating to historic maritime re-
18 sources owned or operated by the Federal Govern-
19 ment shall not exceed 40 percent of the total amount
20 available for the fiscal year for grants under this
21 section.

22 (g) DIRECT GRANTS AND SUBGRANTS PROCESS.—

23 (1) DIRECT GRANTS AND SUBGRANTS SOLICITA-
24 TION.—The Secretary shall publish annually in the

1 Federal Register and otherwise as the Secretary con-
2 siders appropriate—

3 (A) a solicitation of applications for direct
4 grants and subgrants under this section;

5 (B) a list of priorities for the making of
6 those direct grants and subgrants;

7 (C) a single deadline for the submission of
8 applications for those direct grants and
9 subgrants; and

10 (D) other relevant information.

11 (2) RECEIPT AND APPROVAL OR DISAPPROVAL

12 OF DIRECT GRANT AND SUBGRANT APPLICATIONS.—

13 Within 60 days after the submission of recommenda-
14 tions by the Committee to the Secretary under sub-
15 section (h)(6), the Secretary shall review and ap-
16 prove or disapprove a direct grant or subgrant for
17 each project recommended by the Committee and
18 provide to the Committee and the applicant the rea-
19 sons for that approval or disapproval.

20 (h) DIRECT GRANT AND SUBGRANT ADMINISTRA-

21 TION.—The National Trust shall be responsible for admin-
22 istering subgrants for maritime heritage education
23 projects under subsection (b), the Secretary shall be re-
24 sponsible for administering direct grants for maritime her-
25 itage preservation projects under subsection (c), and the

1 various State Historic Preservation Officers shall be re-
2 sponsible for administering subgrants for maritime herit-
3 age preservation projects under subsection (c), by—

4 (1) publicizing the Program to prospective
5 grantees, subgrantees, and to the public at large, in
6 cooperation with the National Park Service, the
7 Maritime Administration, and other appropriate gov-
8 ernment agencies and private institutions;

9 (2) answering inquiries from the public, includ-
10 ing providing information on the Program as re-
11 quested;

12 (3) distributing direct grant and subgrant ap-
13 plications;

14 (4) receiving direct grant and subgrant applica-
15 tions and ensuring their completeness;

16 (5) forwarding the applications to the Commit-
17 tee for review and recommendation;

18 (6) submitting to the Secretary applications
19 that the Committee recommends should be approved
20 by the Secretary;

21 (7) keeping records of all direct grant and
22 subgrant awards and expenditures of funds;

23 (8) monitoring progress of projects carried out
24 with direct grants and subgrants; and

1 (9) providing to the Secretary such progress re-
2 ports as may be required by the Secretary.

3 (i) ASSISTANCE OF MARITIME PRESERVATION ORGA-
4 NIZATIONS.—The Secretary, the National Trust, and the
5 State Historic Preservation Officers may, individually or
6 jointly, enter into cooperative agreements with any private
7 nonprofit organization with appropriate expertise in mari-
8 time preservation issues, or other qualified maritime pres-
9 ervation organizations, to assist in the administration of
10 the Program.

11 (j) GRANTS FOR INTERIM PROJECTS.—

12 (1) GRANTS AUTHORITY.—The Secretary, sub-
13 ject to paragraph (3), may use amounts available
14 under section 6(b)(2) to make one or more grants
15 described in paragraph (2).

16 (2) GRANTS DESCRIBED.—The grants referred
17 to in paragraph (1) are the following:

18 (A) A grant to the National Museum Asso-
19 ciation (a nonprofit organization located in San
20 Francisco, California) for payment of expenses
21 directly related to the preservation and restora-
22 tion of the historic fleet of the San Francisco
23 Maritime National Historical Park, located in
24 San Francisco, California.

1 (B) A grant to the Virginia V Foundation
2 (a nonprofit organization) for use in restoration
3 and preservation of the historic steamship VIR-
4 GINIA V.

5 (C) A grant to any nonprofit organization
6 which operates and maintains a former hospital
7 ship to be converted to engage in public health
8 activities, for use in refurbishing and maintain-
9 ing the ship for those activities.

10 (D) A grant to the Mariners' Museum (a
11 not-for-profit educational institution located in
12 Newport News, Virginia, for use for expenses
13 directly related to the computerization of the li-
14 brary and archives of that museum, including
15 for the purpose of providing to the public en-
16 hanced national access to those materials.

17 (E) A grant for each of fiscal years 1996,
18 1997, 1998, 1999, and 2000 to the Center for
19 Maritime and Underwater Resource Manage-
20 ment at Michigan State University, for a pilot
21 project to plan, design, implement, and evaluate
22 innovative approaches to management and de-
23 velopment of maritime and underwater cultural
24 resources at the following sites: Thunder Bay,
25 the Manitou Passage, Isle Royale National

1 Park, Keweenaw Peninsula, Marquette County,
2 Alger County, Whitefish Point, the Straits of
3 Mackinac, the Thumb Area, and Sanilac
4 Shores.

5 (3) GRANT CONDITIONS.—The Secretary may
6 not make a grant under this subsection unless the
7 grantee complies with the requirements set forth in
8 paragraphs (1) through (5) of section 4(d).

9 (k) REPORT TO CONGRESS.—The Secretary shall
10 submit to the Congress, after review by the Committee,
11 an annual report on the Program, including—

12 (1) a description of each project funded under
13 the Program in the period covered by the report;

14 (2) the results or accomplishments of each such
15 project; and

16 (3) recommended priorities for achieving the
17 policy set forth in section 3.

18 **SEC. 5. NATIONAL MARITIME HERITAGE GRANTS ADVISORY**
19 **COMMITTEE.**

20 (a) ESTABLISHMENT.—There is hereby established a
21 National Maritime Heritage Grants Advisory Committee.

22 (b) MEMBERSHIP.—

23 (1) IN GENERAL.—The Committee shall consist
24 of 13 members appointed by the Secretary from
25 among individual members of the public who—

1 (A) are representatives of various sectors
2 of the maritime community who are knowledge-
3 able and experienced in maritime heritage and
4 preservation;

5 (B) to the extent practicable, are selected
6 in a manner that ensures regional geographic
7 balance;

8 (C) to the extent practicable, include a rep-
9 resentative of each of the fields of—

- 10 (i) small craft preservation;
- 11 (ii) large vessel preservation;
- 12 (iii) sail training;
- 13 (iv) preservation architecture;
- 14 (v) underwater archaeology;
- 15 (vi) lighthouse preservation;
- 16 (vii) maritime education;
- 17 (viii) military naval history;
- 18 (ix) maritime museums or historical
19 societies;
- 20 (x) maritime arts and crafts;
- 21 (xi) maritime heritage tourism; and
- 22 (xii) maritime recreational resources
23 management; and
- 24 (D) include a member of the general pub-
25 lic.

1 (2) EX OFFICIO MEMBERS.—In addition to the
2 members appointed under paragraph (1), the Presi-
3 dent of the National Trust and the President of the
4 National Conference of State Historic Preservation
5 Officers (or their respective designees) shall be ex
6 officio voting members of the Committee.

7 (3) TERM.—The term of a member of the Com-
8 mittee appointed under paragraph (1) shall be 3
9 years, except that of the members first appointed 4
10 shall be appointed for an initial term of 1 year and
11 4 shall be appointed for an initial term of 2 years,
12 as specified by the Secretary at the time of appoint-
13 ment.

14 (4) COMPLETION OF APPOINTMENTS.—The
15 Secretary shall complete appointment of the mem-
16 bers of the Committee under paragraph (1) by not
17 later than 120 days after the date of enactment of
18 this Act.

19 (5) VACANCIES.—In the case of a vacancy in
20 the membership of the Committee appointed under
21 paragraph (1), the Secretary shall appoint an indi-
22 vidual to serve the remainder of the term that is va-
23 cant by not later than 60 days after the vacancy oc-
24 curs.

1 (c) FEDERAL GOVERNMENT EX OFFICIO MEM-
2 BERS.—There shall be ex officio Federal Government
3 members of the Committee as follows:

4 (1) At least 1 individual designated by each
5 of—

6 (A) the Director of the National Park
7 Service;

8 (B) the Administrator of the Maritime Ad-
9 ministration;

10 (C) the Commandant of the Coast Guard;

11 (D) the Secretary of the Navy;

12 (E) the Administrator of the National Oce-
13 anic and Atmospheric Administration; and

14 (F) the Advisory Council on Historic Pres-
15 ervation.

16 (2) Other representatives designated by the
17 heads of such other interested Federal Government
18 agencies as the Secretary considers appropriate.

19 (d) DUTIES OF THE COMMITTEE.—The duties of the
20 Committee include—

21 (1) reviewing direct grant and subgrant propos-
22 als and making funding recommendations to the
23 Secretary;

1 (2) identifying and advising the Secretary re-
2 garding priorities for achieving the policy set forth
3 in section 3;

4 (3) reviewing the Secretary's annual report to
5 the Congress under section 4(k); and

6 (4) performing any other duties the Secretary
7 considers appropriate.

8 (e) QUORUM.—Nine members of the Committee shall
9 constitute a quorum for making recommendations on
10 subgrant applications.

11 (f) APPOINTMENTS PROCESS.—The Secretary
12 shall—

13 (1) publicize annually, in the Federal Register
14 and through publications of preservation and mari-
15 time organizations, a request for submission of
16 nominations for appointments to the Committee
17 under subsection (b)(1); and

18 (2) designate from among the members of the
19 Committee—

20 (A) a Chairman; and

21 (B) a Vice Chairman who may act in place
22 of the Chairman during the absence or disabil-
23 ity of the Chairman or when the office of Chair-
24 man is vacant.

1 (g) COMPENSATION AND TRAVEL EXPENSES.—An
2 individual shall not receive any pay by reason of member-
3 ship on the Committee. While away from home or regular
4 place of business in the performance of service for the
5 Committee, a member of the Committee shall be allowed
6 travel expenses, including per diem in lieu of subsistence,
7 in the same manner as a person employed intermittently
8 in the Government service is allowed expenses under sec-
9 tion 5703 of title 5, United States Code.

10 (h) STAFF OF FEDERAL AGENCIES.—Upon request
11 of the Committee, the Secretary may detail, on a reim-
12 bursable basis, any of the personnel of the Department
13 of the Interior to the Committee to assist it in carrying
14 out its duties under this Act.

15 (i) ADMINISTRATIVE SUPPORT SERVICES.—Upon the
16 request of the Committee, the National Trust shall provide
17 to the Committee the support services necessary for the
18 Committee to carry out its duties under this Act.

19 (j) RELATIONSHIP TO OTHER LAW.—The Federal
20 Advisory Committee Act (5 U.S.C. App.) shall apply to
21 the Committee, except that meetings of the Committee
22 may be closed to the public by majority vote and section
23 14(b) of that Act does not apply to the Committee.

24 (k) TERMINATION.—The Committee shall terminate
25 on September 30, 2000.

1 **SEC. 6. FUNDING.**

2 (a) AVAILABILITY OF FUNDS FROM SALE AND
3 SCRAPPING OF OBSOLETE VESSELS.—

4 (1) IN GENERAL.—Notwithstanding any other
5 provision of law, the amount of funds credited in a
6 fiscal year to the Vessel Operations Revolving Fund
7 established by the Act of June 2, 1951 (46 App.
8 U.S.C. 1241a), that is attributable to the sale of ob-
9 solete vessels in the National Defense Reserve Fleet
10 that are scrapped or sold under section 508 of the
11 Merchant Marine Act, 1936 (46 App. U.S.C. 1158)
12 shall be available until expended as follows:

13 (A) 50 percent shall be available to the Ad-
14 ministrator of the Maritime Administration for
15 such acquisition, maintenance, repair, recondi-
16 tioning, or improvement of vessels in the Na-
17 tional Defense Reserve Fleet as is authorized
18 under other Federal law.

19 (B) 25 percent shall be available to the
20 Administrator of the Maritime Administration
21 for the payment or reimbursement of expenses
22 incurred by or on behalf of State maritime
23 academies or the United States Merchant Ma-
24 rine Academy for facility and training ship
25 maintenance, repair, and modernization, and
26 for the purchase of simulators and fuel.

1 (C) The remainder shall be available to the
2 Secretary to carry out the Program, as provided
3 in subsection (b).

4 (2) APPLICATION.—Paragraph (1) does not
5 apply to amounts credited to the Vessel Operations
6 Revolving Fund before July 1, 1994.

7 (b) USE OF AMOUNTS FOR PROGRAM.—

8 (1) IN GENERAL.—Except as provided in para-
9 graph (2), of amounts available each fiscal year for
10 the Program under subsection (a)(1)(C)—

11 (A) $\frac{1}{2}$ shall be used for grants under sec-
12 tion 4(b); and

13 (B) $\frac{1}{2}$ shall be used for grants under sec-
14 tion 4(c).

15 (2) USE FOR INTERIM PROJECTS.—Amounts
16 available for the Program under subsection (a)(1)(C)
17 that are the proceeds of any of the first 6 obsolete
18 vessels in the National Defense Reserve Fleet that
19 are sold or scrapped after July 1, 1994, under sec-
20 tion 508 of the Merchant Marine Act, 1936 (46
21 U.S.C. 1158) are available to the Secretary for
22 grants for interim projects approved under section
23 4(j) of this Act.

24 (3) ADMINISTRATIVE EXPENSES.—

1 (A) IN GENERAL.—Not more than 15 per-
2 cent or \$500,000, whichever is less, of the
3 amount available for the Program under sub-
4 section (a)(1)(C) for a fiscal year may be used
5 for expenses of administering the Program.

6 (B) ALLOCATION.—Of the amount avail-
7 able under subparagraph (A) for a fiscal year—

8 (i) $\frac{1}{2}$ shall be allocated to the Na-
9 tional Trust for expenses incurred in ad-
10 ministering grants under section 4(b); and

11 (ii) $\frac{1}{2}$ shall be allocated as appro-
12 priate by the Secretary to the National
13 Park Service and participating State His-
14 toric Preservation Officers.

15 (c) DISPOSALS OF VESSELS.—

16 (1) REQUIREMENT.—The Secretary of Trans-
17 portation shall dispose of all vessels described in
18 paragraph (2)—

19 (A) by September 30, 1999;

20 (B) in a manner that maximizes the return
21 on the vessels to the United States; and

22 (C) in accordance with the plan of the De-
23 partment of Transportation for disposal of
24 those vessels and requirements under sections

1 508 and 510(i) of the Merchant Marine Act,
2 1936 (46 App. U.S.C. 1158, 1160(i)).

3 (2) VESSELS DESCRIBED.—The vessels referred
4 to in paragraph (1) are the vessels in the National
5 Defense Reserve Fleet after July 1, 1994, that—

6 (A) are not assigned to the Ready Reserve
7 Force component of that fleet; and

8 (B) are not specifically authorized or re-
9 quired by statute to be used for a particular
10 purpose.

11 (d) TREATMENT OF AMOUNTS AVAILABLE.—
12 Amounts available under this section shall not be consid-
13 ered in any determination of the amounts available to the
14 Department of the Interior.

15 **SEC. 7. DEFINITIONS.**

16 In this Act:

17 (1) COMMITTEE.—The term “Committee”
18 means the Maritime Heritage Grants Advisory Com-
19 mittee established under section 5.

20 (2) NATIONAL TRUST.—The term “National
21 Trust” means the National Trust for Historic Pres-
22 ervation created by section 1 of the Act of October
23 26, 1949 (16 U.S.C. 468).

24 (3) PRIVATE NONPROFIT ORGANIZATION.—The
25 term “private nonprofit organization” means any

1 person that is exempt from taxation under section
2 501(a) of the Internal Revenue Code of 1986 (26
3 U.S.C. 501(a)) and described in section 501(c)(3) of
4 that Code (26 U.S.C. 501(c)(3)).

5 (4) PROGRAM.—The term “Program” means
6 the National Maritime Heritage Grants Program es-
7 tablished by section 4(a).

8 (5) SECRETARY.—The term “Secretary” means
9 the Secretary of the Interior.

10 (6) STATE HISTORIC PRESERVATION OFFI-
11 CER.—The term “State Historic Preservation Offi-
12 cer” means a State Historic Preservation Officer ap-
13 pointed pursuant to paragraph (1)(A) of section
14 101(b) of the National Historic Preservation Act (16
15 U.S.C. 470a(b)(1)(A)) by the Governor of a State
16 having a State Historic Preservation Program ap-
17 proved by the Secretary under that section.

18 **SEC. 8. REGULATIONS.**

19 The Secretary, after consultation with the National
20 Trust, the National Conference of State Historic Preser-
21 vation Officers, and appropriate members of the maritime
22 heritage community, shall promulgate appropriate guide-
23 lines, procedures, and regulations within 1 year after the
24 date of enactment of this Act to carry out the Act, includ-
25 ing regulations establishing terms of office for the initial

1 membership of the Committee, direct grant and subgrant
2 priorities, the method of solicitation and review of direct
3 grant and subgrant proposals, criteria for review of direct
4 grant and subgrant proposals, administrative require-
5 ments, reporting and recordkeeping requirements, and any
6 other requirements the Secretary considers appropriate.

7 **SEC. 9. SAVINGS PROVISION.**

8 The authorities contained in this Act shall be in addi-
9 tion to, and shall not be construed to supercede or modify
10 those contained in the National Historic Preservation Act
11 (16 U.S.C. 470–470x–6).

12 **SEC. 10. AUTHORITY TO CONVEY VESSEL TO THE BATTLE**
13 **OF THE ATLANTIC HISTORICAL SOCIETY.**

14 (a) IN GENERAL.—Notwithstanding any other law,
15 the Secretary of Transportation may convey the right,
16 title, and interest of the United States Government in and
17 to the vessel S/S AMERICAN VICTORY (Victory Ship
18 VC2–S–AP3; United States official number 248005), or
19 a vessel of a comparable size and class, to the Battle of
20 the Atlantic Historical Society (in this section referred to
21 as “the recipient”), if—

22 (1) the recipient agrees to use the vessel for the
23 purposes of a Merchant Marine memorial, historical
24 preservation, and educational activities;

1 (2) the vessel is not used for commercial trans-
2 portation purposes;

3 (3) the recipient agrees to make the vessel
4 available to the Government if the Secretary of
5 Transportation requires use of the vessel by the
6 Government for war or a national emergency;

7 (4) the recipient agrees that when the recipient
8 no longer requires the vessel for use for the purposes
9 described in paragraph (1)—

10 (A) the recipient will, at the discretion of
11 the Secretary of Transportation, reconvey the
12 vessel to the Government in good condition ex-
13 cept for ordinary wear and tear; or

14 (B) if the recipient has decided to dissolve
15 according to the laws of the State of New York,
16 then—

17 (i) the recipient shall distribute the
18 vessel, as an asset of the recipient, to a
19 person that is described in section
20 501(c)(3) of the Internal Revenue Code of
21 1986 (26 U.S.C. 501(c)(3)) and that is ex-
22 empt from taxation under section 501(a)
23 of that Code (26 U.S.C. 501(a)), or to the
24 Federal Government or a State or local
25 government for a public purpose; and

1 (ii) the vessel shall be disposed of by
2 a court of competent jurisdiction of the
3 county in which the principal office of the
4 recipient is located, for such purposes as
5 the court shall determine, or to such orga-
6 nizations as the court shall determine are
7 organized exclusively for public purposes;

8 (5) the recipient agrees to hold the Government
9 harmless for any claims arising from exposure to as-
10 bestos after conveyance of the vessel, except for
11 claims arising from use by the Government under
12 paragraph (3) or (4);

13 (6) the recipient has available, for use to re-
14 store the vessel, in the form of cash, liquid assets,
15 or a written loan commitment, financial resources of
16 at least \$100,000; and

17 (7) the recipient is described in section
18 501(c)(3) of the Internal Revenue Code of 1986 (26
19 U.S.C. 501(c)(3)) and is exempt from taxation
20 under section 501(a) of that Code (26 U.S.C.
21 501(a)).

22 (b) DELIVERY OF VESSEL.—If a conveyance is made
23 under this section, the Secretary of Transportation shall
24 deliver the vessel at the place where the vessel is located

1 on the date of enactment of this Act, in its present condi-
2 tion, without cost to the Government.

3 (c) OTHER UNNEEDED EQUIPMENT.—The Secretary
4 of Transportation may convey to the recipient any
5 unneeded equipment from other vessels in the National
6 Defense Reserve Fleet for use to restore the S/S AMER-
7 ICAN VICTORY, or a vessel of a comparable size and
8 class, to museum quality.

9 (d) TERMINATION OF AUTHORITY.—The authority of
10 the Secretary of Transportation under this section to con-
11 vey a vessel to the Battle of the Atlantic Historical Society
12 shall expire 2 years after the date of enactment of this
13 Act.

14 (e) REVERSIONARY INTEREST OF THE UNITED
15 STATES.—All right, title, and interest in and to a vessel
16 that is conveyed under subsection (a) to and held by the
17 recipient shall revert to the United States at any time that
18 it is finally determined that the recipient is not exempt
19 from taxation under section 501(a) of the Internal Reve-
20 nue Code of 1986 (26 U.S.C. 501(a)).

21 **SEC. 11. AUTHORITY TO CONVEY VESSEL TO WARSAW, KEN-**
22 **TUCKY.**

23 (a) AUTHORITY TO CONVEY.—Notwithstanding any
24 other provision of law, the Secretary of Transportation
25 may, subject to subsection (c), convey to the City of War-

1 saw, Kentucky, without consideration, for use by the City
2 for the promotion of economic development and tourism,
3 all right, title, and interest of the United States in a ves-
4 sel, including related spare parts and vessel equipment,
5 which—

6 (1) is in the National Defense Reserve Fleet on
7 the date of enactment of this Act;

8 (2) has no usefulness to the United States Gov-
9 ernment; and

10 (3) is scheduled to be scrapped.

11 (b) DELIVERY.—At the request of the City of War-
12 saw, Kentucky, the Secretary of Transportation is author-
13 ized to deliver the vessel referred to in subsection (a)—

14 (1) at the place where the vessel is located on
15 the date of the approval of the conveyance;

16 (2) in its condition on that date; and

17 (3) without cost to the United States Govern-
18 ment.

19 (c) CONDITIONS.—As a condition of any conveyance
20 of a vessel under subsection (a), the Secretary of Trans-
21 portation shall require that the City—

22 (1) raise, before the date of the conveyance, at
23 least \$100,000 from non-Federal sources to support
24 the intended use of the vessel;

1 (2) agree to indemnify the United States for
2 any liability arising from or caused by the vessel
3 after the date of the conveyance of the vessel, includ-
4 ing liability—

5 (A) for personal injury or damage to prop-
6 erty;

7 (B) related to the delivery of the vessel to
8 the City; and

9 (C) related to asbestos; and

10 (3) comply with any other conditions the Sec-
11 retary considers appropriate.

12 (d) UNITED STATES NOT LIABLE.—Notwithstanding
13 any other provision of law, the Government of the United
14 States shall not be liable to any person for any liability
15 described in subsection (c)(2).

16 (e) TERMINATION OF AUTHORITY.—The authority of
17 the Secretary of Transportation under this section to con-
18 vey a vessel to the City of Warsaw, Kentucky, shall expire
19 2 years after the date of enactment of this Act.

20 **SEC. 12. AUTHORITY TO CONVEY VESSEL TO ASSISTANCE**
21 **INTERNATIONAL, INC.**

22 (a) CONVEYANCE.—Notwithstanding any other law,
23 the Secretary of Transportation may convey, without com-
24 pensation and by not later than September 30, 1996, all
25 right, title, and interest of the United States Government

1 in and to the vessels L.S.T. TIOGA COUNTY, R.V.
2 LYNCH, and L.S.T. LORRAINE COUNTY, including
3 related spare parts and vessel equipment, to the nonprofit
4 corporation Assistance International, Inc. (hereinafter in
5 this section referred to as the “recipient”), for use in
6 emergencies, vocational training, and economic develop-
7 ment programs.

8 (b) CONDITIONS.—As a condition of any vessel con-
9 veyance under this section the Secretary of Transportation
10 shall require the recipient to—

11 (1) agree to use the vessel solely for nonprofit
12 activities;

13 (2) agree to not use the vessel for commercial
14 transportation purposes in competition with any
15 United States-flag vessel;

16 (3) agree to make the vessel available to the
17 Government whenever use of the vessel is required
18 by the Government;

19 (4) agree that, whenever the recipient no longer
20 requires the use of the vessel for its nonprofit activi-
21 ties, the recipient shall—

22 (A) at the discretion of the Secretary of
23 Transportation, reconvey the vessel to the Gov-
24 ernment in as good a condition as when it was

1 received from the Government, except for ordi-
2 nary wear and tear; and

3 (B) deliver the vessel to the Government at
4 the place where the vessel was delivered to the
5 recipient;

6 (5) agree to hold the Government harmless for
7 any claim arising after conveyance of the vessel, ex-
8 cept for claims against the Government arising dur-
9 ing the use of the vessel by the Government under
10 paragraph (3) or (4);

11 (6) have available at least \$100,000 from non-
12 Federal sources to support the intended uses of the
13 vessels; and

14 (7) agree to any other conditions the Secretary
15 of Transportation considers appropriate.

16 (c) DELIVERY.—The Secretary of Transportation
17 shall deliver each vessel conveyed under this section to the
18 recipient—

19 (1) at the place where the vessel is located on
20 the date of enactment of this Act;

21 (2) in its condition on July 25, 1991, except for
22 ordinary wear and tear occurring after that date;
23 and

24 (3) without cost to the Government.

1 (d) TERMINATION OF AUTHORITY.—The Authority
2 of the Secretary of Transportation under this section to
3 convey vessels to Assistance International, Inc., shall ex-
4 pire 2 years after the date of enactment of this Act.

5 **SEC. 13. AUTHORITY TO CONVEY VESSEL TO THE RIO**
6 **GRANDE MILITARY MUSEUM.**

7 (a) IN GENERAL.—Notwithstanding any other law,
8 the Secretary of Transportation may convey the right,
9 title, and interest of the United States Government in and
10 to the vessel USS SPHINX (ARL-24), to the Rio Grande
11 Military Museum (a not-for-profit corporation, hereinafter
12 in this section referred to as the “recipient”) for use as
13 a military museum, if—

14 (1) the recipient agrees to use the vessel as a
15 nonprofit military museum;

16 (2) the vessel is not used for commercial trans-
17 portation purposes;

18 (3) the recipient agrees to make the vessel
19 available to the Government when the Secretary of
20 Transportation requires use of the vessel by the
21 Government;

22 (4) the recipient agrees that when the recipient
23 no longer requires the vessel for use as a military
24 museum—

1 (A) the recipient will at the discretion of
2 the Secretary of Transportation, reconvey the
3 vessel to the Government in good condition ex-
4 cept for ordinary wear and tear; or

5 (B) if the Board of Directors of the recipi-
6 ent has decided to dissolve the recipient accord-
7 ing to the laws of the State of Texas, then—

8 (i) the recipient shall distribute the
9 vessel, as an asset of the recipient, to a
10 person that has been determined exempt
11 from taxation under the provisions of sec-
12 tion 501(c)(3) of the Internal Revenue
13 Code, or to the Federal Government or a
14 State or local government for a public pur-
15 pose; and

16 (ii) the vessel shall be disposed of by
17 a court of competent jurisdiction of the
18 county in which the principal office of the
19 recipient is located, for such purposes as
20 the court shall determine, or to such orga-
21 nizations as the court shall determine are
22 organized exclusively for public purposes;

23 (5) the recipient agrees to hold the Government
24 harmless for any claims arising from exposure to as-
25 bestos after conveyance of the vessel, except for

1 claims arising from use by the Government under
2 paragraph (3) or (4); and

3 (6) the recipient has available, for use to re-
4 store the vessel, in the form of cash, liquid assets,
5 or a written loan commitment, financial resources of
6 at least \$100,000.

7 (b) DELIVERY OF VESSEL.—If a conveyance is made
8 under this section, the Secretary of Transportation shall
9 deliver the vessel at the place where the vessel is located
10 on the date of enactment of this Act, in its present condi-
11 tion, without cost to the Government.

12 (c) OTHER UNNEEDED EQUIPMENT.—The Secretary
13 of Transportation may also convey any unneeded equip-
14 ment from other vessels in the National Defense Reserve
15 Fleet in order to restore the USS SPHINX (ARL-24) to
16 museum quality.

17 (d) TERMINATION OF AUTHORITY.—The authority of
18 the Secretary of Transportation under this section to con-
19 vey a vessel to the Rio Grande Military Museum shall ex-
20 pire 2 years after the date of enactment of this Act.

Passed the House of Representatives October 5,
1994.

Attest: DONNALD K. ANDERSON,
Clerk.

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